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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 BENJAMIN JOSHUA KALLBERG

10 Petitioner,

11 v.

12 UNITED STATES OF AMERICA

13 Respondent.
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Case No. 2:17-CR-00196-RSL-1

ORDER DENYING MOTION
FOR EARLY
TERMINATION OF
SUPERVISED RELEASE

15 This matter comes before the Court on petitioner Benjamin Joshua Kallberg's motion for
16 early termination of supervised release, pursuant to 18 U.S.C. § 3583(e)(1). Dkt. #3.

17 On May 5, 2004, Mr. Kallberg was indicted for Possession with Intent to Distribute
18 Methylenedioxymethamphetamine (MDMA), in violation of 21 U.S.C. §§ 841(a)(1) and
19 841(b)(1)(C). He pled guilty to the offense on October 12, 2011, *see* Dkt. #2-1, and was
20 sentenced to 97 months imprisonment and three years of supervised release. *See* Dkt. #2-2. His
21 prison term was later reduced to 78 months. *See* Dkt. #2-3 at 7. His supervised release term
22 commenced on February 21, 2017, and is set to expire on February 20, 2020. *See* Dkt. #1.

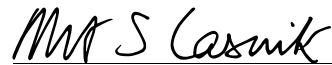
23 A court "may, after considering the factors set forth in [18 U.S.C. § 3553(a)] ... terminate
24 a term of supervised release and discharge the defendant released at any time after the expiration
25 of one year of supervised release... if it is satisfied that such action is warranted by the conduct
26 of the defendant released and the interest of justice." 18 U.S.C. § 3583(e). The Court has
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1 “discretion to consider a wide range of circumstances when determining whether to grant early
2 termination.” *United States v. Emmett*, 749 F.3d 817, 819 (9th Cir. 2014).

3 The Court is pleased to learn that Mr. Kallberg is doing well under supervised release. It
4 appreciates his efforts in securing employment as a Finance Manager at Evergreen Ford Lincoln
5 in Issaquah, in reintegrating himself with his family, and in remaining committed to his own
6 sobriety. However, Mr. Kallberg’s motion is premature. The Court encourages him to continue
7 his excellent behavior, and to re-apply for an early termination after completing two full years of
8 supervised release; i.e., at any time after February 20, 2019.

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10 For the foregoing reasons, petitioner’s motion is DENIED.

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12 DATED this 31st day of October, 2018.

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16 Robert S. Lasnik
17 United States District Judge
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